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163D ARMORED CAVALRY REGIMENT (-)
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3669TH HEAVY EQUIPMENT MAINTENANCE COMPANY
1049TH ENGR. DET. (FF)
103D PUBLIC INFORMATION DETACHMENT

INFORMATION BULLETIN

An official publication. Contains items of both official and unofficial nature. Official items have the full force and effect of orders and Commanders will comply therewith upon receipt.

VOLUME 20, NUMBER 19

29 September 1978

(Effective until 1 September 1979, unless sooner rescinded or superseded)

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PART 1. -- GENERAL

PART 2. -- PERSONNEL

201. WEIGHT CONTROL--a. Two problem areas concerning the impact of weight control regulations on ARNG enlistments were surfaced at the 8 Sep 78 Sixth Army TAG conference. They were -

(1) The apparent misunderstanding of the provisions of AR/NGR Regulation 600-9 to accommodate personnel with heavy body builds who exceed maximum weight allowances and (2) the apparent practice of erroneously discharging ARNG personnel reporting to IADT who exceed maximum weight allowance contained in NGR 600-9.

b. The following information is provided -

(1) The weight tables contained in both Regs are guidelines only and allow for personnel with large bone structure, muscular development and abdominal girth to exceed those guidelines. Concerning this, Para 3-2B, NGR 600-9, states a physician may make a judgement that an individual is not to be considered overweight even though exceeding the weight standards. That judgement, however, will be referred to the ARNG State Surgeon for final determination. If the State Surgeon concurs in the physician's judgement, he will so certify, thus establishing an approved weight standard for the individual concerned. (2) A special survey was conducted recently by this HQ, to determine if basic training sites were improperly discharging ARNG NPS personnel in IADT. Of over 2500 ARNG personnel in basic training between six and twelve months ago, nine personnel were discharged for overweight conditions; no one has been discharged from IADT in the past six months for overweight reasons. The NGB surgeon has indicated that this has not been a problem area in the ARNG. (3) The Sixth Army Staff Medical Advisor, COL Copeland, is available at any time to discuss and assist in the above areas. Autovon 586-2541/4302/5152/2816.

202. FOLICEMEN ENTITLED TO LEAVE WITH PAY--Letter, Subject: Opinion of Attorney General, Mike Greely concerning city police. See inclosure number 1.

PART 3. -- OPERATIONS AND TRAINING

PART 4. -- SUPPLY

401. CARE AND USE OF SLEEPING BAGS--a. The following 35mm slide series authorized for local reproduction are being distributed to Army Training and Audiovisual Support Center in CONUS and overseas.

b. CTA 10-4-16, "Care and Use of Sleeping Bags" (B&W--12 frames--1978). This slide series replaces 8- x 10-inch transparency series, TG 10-4-14, "Care and Use of Sleeping Bags" (1973), which is obsolete. It gives the components and uses of poncho, intermediate cold type II sleeping bags. Shows correct care and cleaning procedures and how to roll and pack the air mattress and bag. Audience and use: For Army-wide training in the care and use of sleeping bags for all troops; courses at the US Army Quartermaster School and other service schools concerned; and US Army Reserve and National Guard Units.

402. M88A1 MEDIUM RECOVERY VEHICLE (M24 PERISCOPE)--a. The following is a quote from TARCOM message to NGB.

b. "TM 9-2350-156-10, page B-9, Figure B-7, Item 1. The components and support items list for the M88A1, Medium Recovery Vehicle list a quantity of 2 each M24 Periscope. This is in error and should read 1 each. Further BII sets will contain only 1 each M24 Periscope. Referenced TM will be corrected in change 2 expected to be published in December 1978."

403. BRASS INSIGNIA--DA has adopted bright brass insignia of grade for wear on the Overcoat, Raincoat, and Windbreaker for Enlisted Personnel, replacing the subdued insignia of grade and white plastic backing on those uniforms.

NSN and Unit of Issue for the Insignia are furnished below:

8455-00-591-1434	INSIGNIA, Grd. Enlist.	E-9 Command Sgt. Major	pr.
8455-00-591-1436	INSIGNIA, Grd. Enlist.	E-7 SFC	pr.
8455-00-591-1440	INSIGNIA, Grd. Enlist.	E-8 MSG	pr.
8455-00-591-1449	INSIGNIA, Grd. Enlist.	E-6 Spec.	pr.
8455-00-591-1462	INSIGNIA, Grd. Enlist.	E-7 Spec.	pr.
8455-00-591-1480	INSIGNIA, Grd. Enlist.	E-2 Private	pr.
8455-00-591-1484	INSIGNIA, Grd. Enlist.	E-4 Spec.	pr.
8455-00-591-1486	INSIGNIA, Grd. Enlist.	E-5 Spec.	pr.
8455-00-595-5338	INSIGNIA, Grd. Enlist.	E-4 Cpl.	pr.
8455-00-595-5339	INSIGNIA, Grd. Enlist.	E-9 Sgt. Major	pr.
8455-00-595-5340	INSIGNIA, Grd. Enlist.	E-8 1st Sgt.	pr.
8455-00-595-5342	INSIGNIA, Grd. Enlist.	E-4 Spec.	pr.
8455-00-601-0688	INSIGNIA, Grd. Enlist.	E-5 Sgt.	pr.
8455-00-601-0713	INSIGNIA, Grd. Enlist.	E-6 Staff Sgt.	pr.

PART 5. -- FISCAL AND TRANSPORTATION

PART 6. -- MAINTENANCE

601. DA FORM 2408-4, WEAPONS RECORD DATA--a. Just a reminder that annual close out of subject form must be accomplished by the end of business on 10 October 1978. Procedures for the close out and transfer of information to a new form are outlined in para 4-6, TM 38-750.

b. The closed out form will be forwarded to Comrader, Watervliet Arsenal, ATTN: SARWV-QAR, Watervliet, NY 12189.

701. HATCH SAFETY PROBLEM ON M88A1 VEHICLES--A safety problem in the hatch mechanism on the M88A1 vehicles was discovered at APG IPT testing. An incorrect nut had been installed on the shouldered pin (PN 8365037) that the manual control lever (PN 8382437) pivots on the incorrect nut (PN MS 3569221) is a plain slotted non-locking nut. Should it come loose and fall off, the hatch can swing and cause serious/fatal injury to crew members. The incorrect nut may be assembled on either end of the shouldered pin. (Ref Fig 184, TM 9-2350-266-20P Item 8 & 29 or Fig 185, Item 5 & 29) The proper nut to correct the deficiency is MS 210 83N6. This nut should be used on both ends of the shouldered pin. Nomenclature for the correct nut is NSN 5310-00-926-1852 PN MS 210083N6, Nut, Selflocking, Hexagon, Shaft Pin.

702. CAMOUFLAGE PAINT--The US Army Environmental Hygiene Agency has advised that paint currently being used to camouflage vehicles contains hexamethylene diisocyanate (HMDI) and without proper respiratory equipment for the painter, is hazardous to the health of the individual. USAEHA advises that individuals engaged in spray finishing operations using this paint should use type C continuous-flow air-supplied respirators with full-facepiece. Additionally, medical surveillance to include physical examinations, pulmonary function studies and eosinophil counts should be conducted.

703. SMOKE SAFETY--a. Tests are currently underway to qualify the risk associated w/training in standard US smokes (HC, WP, PWP, Fog Oil, Red Phosphorus, & Diesel). Pending completion of such tests the following precautions will apply to smoke training.

- (1) Personnel will carry the protective mask when participating in exercises which include the use of smoke.
 - (2) Personnel will mask -
 - (a) When exposed to any concentration of H.C. smoke.
 - (b) When passing through or operating in any dense smoke such as smoke blankets or smoke curtains.
 - (c) When operating in or passing through a smoke haze and the duration or exposure will exceed five minutes. A smoke haze is defined as a concentration in which large objects such as trucks are visible at 100 meters.
 - (d) Anytime exposure to smoke produces breathing difficulty or discomfort.
 - (3) Bathing and laundering of clothing following exercise will eliminate the risk of skin irritation following exposure to smoke.
- b. There are no known specific cases of physical impairment associated with smoke training. There is, however, similarity between the potential effects of current smoke agents and other known causes of physical disability associated with exposure to aerosols. It is therefore, prudent to take reasonable precautions in exposing personnel to field concentrations of smoke and to insure that respiratory protection (protective mask) is readily available.

PART 8. -- FACILITIES AND SECURITY

801. NIGHT VISION GOGGLES--Recently many units have been receiving AN TVS-5 Night Vision Goggles. Due to the high cost and sensitivity of these items, they will be stored only in the unit vault. The above method of storage is an exception to para 14 AGO Reg 190-11.

JOHN J. WOMACK
MG. MT MG
The Adjutant General

PART 9. -- UNOFFICIAL

901. FEDERAL RECOGNITION--The following officers received Federal recognition:

CARTWRIGHT, RONALD L.	2LT HHD Mont ARNG	24 Jun 78
DURKIN, TERRANCE L.	2LT HHD Mont ARNG	24 Jun 78
FANTO, ROBERT G. JR.	1LT Co C 5th SF Bn 19th SF	27 Jun 78
GILCHRIST, JAMES R.	2LT HHD Mont ARNG	24 Jun 78
HOGAN, JAMES D.	2LT HHD Mont ARNG	24 Jun 78
KENT, LEE E.	2LT HHD Mont ARNG	24 Jun 78
KITSELMAN, FRANKLIN L.	2LT HHD Mont ARNG	24 Jun 78
MC CAIN, PATRICK E.	2LT HHD Mont ARNG	24 Jun 78
MOGOR, ROBERT A.	1LT How Btry 2d Sqdn 163d Armd Cav	27 Jun 78
MOHAN, PATRICK J.	1LT Co C 5th SF Bn 19th SF Gp	27 Jun 78
PETERSON, JAMES R.	2LT HHD Mont ARNG	24 Jun 78
PICCO, MARY A.	2LT HHD Mont ARNG	24 Jun 78
ROYSDON, GLEN D.	1LT Trp A 1st Sqdn 163d Armd	27 Jun 78
TREMBLAY, STEVEN B.	2LT HHD Mont ARNG	24 Jun 78
VETTER, BRIAN O.	2LT HHD Mont ARNG	24 Jun 78
WAYLETT, DALE B.	2LT HHD Mont ARNG	24 Jun 78
YAEGER, RANDALL S.	2LT HHD Mont ARNG	24 Jun 78

A very faint, grayscale background image showing the interior of a library. It features tall, narrow bookshelves filled with books, creating a repetitive pattern of vertical lines.

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STATE
OF
MONTANA
ATTORNEY GENERAL
MIKE GREELY

STATE CAPITOL, HELENA, MONTANA 59601; TELEPHONE (406) 222-2224

31 July 1978

John J. Womack
Major General
Department of Military Affairs
State Arsenal
P.O. Box 4789
Helena, Montana 59601

Dear General Womack:

You have requested my opinion on whether city policemen are entitled to leave with pay to attend National Guard Annual Training periods pursuant to Section 77-2104, R.C.M. 1947. Section 77-2104 provides:

A state, city, or county employee who is a member of the organized militia of this state or who is a member of the organized or unorganized reserve corps or military forces of the United States, and who has been an employee for a period of six (6) months, shall be given leave of absence with pay for a period of time not to exceed fifteen (15) working days in a calendar year for attending regular encampments, training cruises, and similar training programs of the organized militia or of the military forces of the United States. This leave may not be charged against the employee's annual vacation time.

There is no question that city policemen are indeed city employees. Nor is there any indication in Section 77-2104 that policemen are excepted from its provisions. The specific question you have raised is whether Section 11-1810 exempts policemen from the provisions of Section 77-2104. Section 11-1810 provides:

No member of the police force shall be liable to military or jury duty, or to arrest on civil process, while actually on duty, nor shall he hold any other office, or be employed in any other department of the city or town government. (Emphasis supplied.)

John J. Womack
31 July 1978
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Statues relating to the same subject matter must be harmonized and each given effect when possible to do so consistently with legislative intent. State ex rel. Townsend v. D.A. Davidson, Inc., Mont. , 531 P.2d 370 (1975); Fletcher v. Paige, 124 Mont. 114, 220 P.2d 484 (1950).

Use of the term "liable" denotes involuntary military service, such as conscription. Black's Law Dictionary pg. 1060 (4th ed. 1968) defines "liable" as "obligated or bound in law or equity." Section 11-1810 cannot be read to prohibit voluntary military service, such as the National Guard.

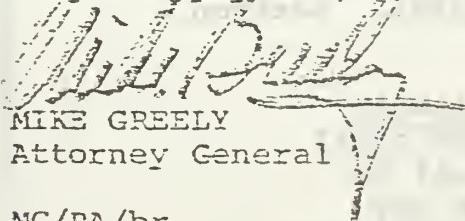
Furthermore, Section 77-2104 imposes no military obligation upon policemen. It merely provides that they are entitled to a maximum of fifteen (15) days of leave with pay in order to attend training sessions if they have chosen to belong to the National Guard.

It is my understanding that the National Guard training programs are held at various times throughout the year. In view of the vital service provided to the community by the police, the Guard should exercise its discretion in scheduling police/guardsmen for training sessions to avoid depleting a particular police force. Certainly the scheduling of police activities should have the higher priority, except in cases of National Guard emergencies. This should also be taken into consideration for any city, county or state department which provides vital public services to the community.

THEREFORE, IT IS MY OPINION:

City policemen are entitled to a leave of absence with pay to attend National Guard Annual Training periods as provided in Section 77-2104, R.C.M. 1947. Priority in scheduling should be given to the individual police force to avoid depletion of any particular police force.

Very truly yours,


MIKE GREELY
Attorney General

MG/RB/br